

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED

JAN 28 PM 12:03
U.S. DISTRICT COURT
N.D. OF ALABAMA

ENTERED

JAN 29 1997

JP

GEORGE MIXON,

Petitioner,

vs

WARDEN ROY HIGHTOWER, et al,

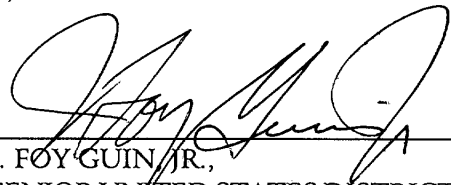
Respondent(s).

CIVIL ACTION NO. 95-G-0365-S

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and the objections of the petitioner¹ and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed. An appropriate order will be entered.

DONE, this 28th day of January, 1997.



J. FOY GUIN, JR.,
SENIOR UNITED STATES DISTRICT JUDGE

¹ On January 23, 1997, the petitioner filed "Petitioners Rebuttal to Respondents Answer, to Show Cause," which the court will consider as objections to the report and recommendation.

United States District Court
for the
Northern District of Alabama
January 29, 1997

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:95-cv-00365

True and correct copies of the attached were mailed by the clerk to the following:

George Mixon
ECF
Elmore Correctional Facility
AIS #167512 C-2-80
PO Box 8
Elmore, AL 36025

Robin D Blevins, Esq.
OFFICE OF THE ATTORNEY GENERAL
Alabama State House
11 South Union Street
Montgomery, AL 36130-0152